

ELECTRONICALLY FILED - 2018 August 28 10:30 AM - SCPSC - Docket # 2018-197-E - Page 1 of 7

Application of South Carolina Electric & Gas Company for a Certificate of Environmental Compatibility and Public Convenience and Necessity for the Construction and Operation of the Pepperhill – Summerville 230 kV Line, the Williams – Pepperhill 230 kV Line Segment, the Canadys – Faber Place 230 kV Line Segment and Associated Facilities and for Certain Like Facility Determinations

This Stipulation is made by and between the South Carolina Office of Regulatory Staff (“ORS”) and South Carolina Electric & Gas Company (“SCE&G”) (collectively referred to as the “Parties” or sometimes individually as a “Party”).

1

WHEREAS, in the Application, SCE&G seeks a Certificate of Environmental Compatibility and Public Convenience and Necessity ("Certificate") for the construction and operation of the approximately 7.8-mile Pepperhill – Summerville 230 kV Line from SCE&G's existing 230/115 kV Pepperhill Substation ("Pepperhill Substation") to SCE&G's existing Summerville Substation; the approximately 3.7-mile Williams – Pepperhill 230 kV Line Segment from a point approximately 400 feet south of Ancrum Road in Charleston County to the Pepperhill Substation; the approximately 350-foot Canadys – Faber Place 230 kV Line Segment in existing right-of-way contiguous to the Pepperhill Substation; and associated facilities;

WHEREAS, in the Application, SCE&G also requests that the Commission make a determination, as authorized by S.C. Code Ann. § 58-33-110(1) (2015), that the rebuild of the existing Summerville – Williams 230 kV Line between Summerville and Ladson Junction constitutes "the replacement of an existing facility with a like facility" and therefore does not constitute "construction of a major utility facility" for which certification would be required under the Utility Facility Siting Act and Environmental Protection Act ("Like Facility Determination");

WHEREAS, the Parties to this Stipulation are parties of record in the above-captioned docket;

WHEREAS, in accordance with the provisions of S.C. Code Ann. § 58-33-140 (2015) the South Carolina Department of Health and Environmental Control, the South Carolina Department of Natural Resources, and the South Carolina Department of Parks, Recreation, and Tourism, are also parties to this proceeding (collectively, the "Other Parties of Record"). The Other Parties of Record have stated that they do not have any concerns on this matter;

WHEREAS, the Parties have engaged in discussions to determine if a Stipulation would be in their best interest;

WHEREAS, following these discussions the Parties have each determined that their interests, and those of the public, would be best served by reaching an agreement on matters set forth in SCE&G's Application in the above-captioned case under the terms and conditions set forth below:

1. The Parties agree to stipulate into the record before the Commission the direct testimony and exhibits of the following witnesses without objection, change, amendment or cross-examination with the exception of changes comparable to that which would be presented via an errata sheet or through a witness noting a correction.

A. SCE&G witnesses: Joseph Wade Richards and Nathan V. Bass

B. ORS witness: Anthony Sandonato

2. As a compromise, the following is adopted, accepted, and acknowledged as the agreement of the Parties:

A. ORS will recommend that the Commission approve SCE&G's Application and grant SCE&G a Certificate for the Pepperhill – Summerville 230 kV Line, the Williams – Pepperhill 230 kV Line Segment, the Canadys – Faber Place 230 kV Line Segment and associated facilities, as requested in the Application;

B. ORS has no objection to and will not oppose SCE&G's request for the Like Facility Determination, as set forth in the Application.

C. SCE&G agrees to follow all South Carolina, Commission and local government regulations and laws arising from matters set forth in the Application.

D. SCE&G will notify ORS and the Commission when the facilities begin commercial operation and of any changes to the planned commercial operation dates.

3. The Parties agree this Stipulation is reasonable, in the public interest and in accordance with law and regulatory policy.

4. Further, ORS is charged with the duty to represent the public interest of South Carolina pursuant to S.C. Code Ann. §58-4-10(B) (2015, as amended). S.C. Code Ann. § 58-4-10(B) defines the “public interest,” for the purposes of Chapter 4 of Title 58, as “the concerns of the using and consuming public with respect to public utility services, regardless of the class of customer and preservation of continued investment in and maintenance of utility facilities so as to provide reliable and high quality utility services.”

5. The Parties agree to cooperate in good faith with one another in recommending to the Commission that this Stipulation be accepted and approved by the Commission as a fair, reasonable and full resolution in the above-captioned proceeding. The Parties agree to use reasonable efforts to defend and support any Commission order issued approving this Stipulation and the terms and conditions contained herein.

6. This written Stipulation contains the complete agreement of the Parties. There are no other terms and conditions to which the Parties have agreed. The Parties agree that this Stipulation will not constrain, inhibit or impair their arguments or positions held in future proceedings, nor will the Stipulation or any of the matters agreed to in it be used as evidence or precedent in any future proceeding. If the Commission should decline to approve the Stipulation in its entirety, then any Party desiring to do so may withdraw from the Stipulation without penalty.

7. This Stipulation shall be interpreted according to South Carolina law. The above terms and conditions fully represent the agreement of the Parties hereto. Therefore, each Party acknowledges its consent and agreement to this Stipulation by authorizing its counsel to affix his or her signature to this document where indicated below. Counsel’s signature represents his or her representation that his or her client has authorized the execution of the agreement. Facsimile signatures and e-mail signatures shall be as effective as original signatures to bind any party. This

document may be signed in counterparts, with the various signature pages combined with the body of the document constituting an original and provable copy of this Stipulation.

WE AGREE:

Representing and binding the South Carolina Office of Regulatory Staff



Jeffrey M. Nelson, Esquire
South Carolina Office of Regulatory Staff
1401 Main Street, Suite 900
Columbia, South Carolina 29201
Phone: 803.737.0823
Fax: 803.737.0895
Email: jnelson@regstaff.sc.gov

WE AGREE:

Representing and binding South Carolina Electric & Gas Company

A handwritten signature in blue ink, reading "Matthew W. Gissendanner", is written over a horizontal line.

K. Chad Burgess, Esquire

Matthew W. Gissendanner, Esquire

South Carolina Electric & Gas Company

220 Operation Way MC C222

Cayce, South Carolina 29033

Phone: 803.217.8141

Fax: 803.217.7931

Email: chad.burgess@scana.com

matthew.gissendanner@scana.com